

My name is Gerald Griffin, owner of Deerkiller Prod, & Towpath Tunes BMI. My indie label product is nat'l & internat'l distrib by TheOrchard based in NYC. However I have to pay music promoters for airplay on most college stations & some commercial stations. At present it is impossible to get my product played on the ClearChannel Network, Infinity Broadcasting, the Premier Radio Network, or Sinclair Broadcasting. I can get on some small indie radio networks, but it's up to each program director of each station if they want to play my CDs in primetime w/ the signed majors. I recently hired a music promoter to plug my last CD release on some 140 stations for which the bill was \$1600. The promo period lasted only about a month & only 5 to 7 stations played it in 'rotation'. As soon as the promo period expired, the airplay immediately stopped. When I checked my BMI statement for the 1st quarter of this year [pub co], the royalties paid for airplay was 'zero'. There was not sufficient

airplay to be recorded. Amazon.com [linked to TheOrchard] showed 4 or 5 CDs sold thru their site & CD Baby showed only 2 sold on their site since the promotion. I did not know the CMJ Music Reporter existed 'til the promo co leaked info to me that their site is where they got their playlist ratings from. I should have sent in a copy to Billboard for review, but never did because I thought the CD would 'take off' & Billboard would 'get wind of it' & review it anyway--but that never happened. I have to write this all off as a loss on my taxes--it's like playing the lottery & you nearly always lose more than you gain in this highly competitive biz. I'm coming out with a new CD release by the same band--possibly by late Nov or Dec 04, but the strategy will be different this time--I NEVER make the same mistake twice. I will be lining up my own distrib network of nat'l distributors that spec in indie labels & going to Billboard & CMJ for an 'indie' review & using the "Indie Bible" list of stations

that will play your music'. I will be doing my own 'follow ups' with these stations & contacting the indie distributors in each of these markets to make sure they are getting my product in the stores & internet data to linked websites. In closing, my opinion is that I believe the major radio networks should 'change their policy' & 'intermix rotation airplay' of indie labels that have a 'proven' distrib network with major label airplay in primetime. This I believe is the only fair & honest way to program music CDs in ALL venues. OR--if the indie label doesn't have a good distrib network, at least announce at the end of the song 'where' the CD can be purchased.

Songs written & pub by my writers are on my BMI webpage. The bands play locally 2 to 3 times a mo. Great mat'l--but no hits as yet. Still considered unsigned. The following will not go out of state--if they have a gig there. They generally play at bars where there are built-in crowds. We do news write-ups in local papers & radio ads locally & this somewhat brings out a curious crowd & sometimes new followers.

My musicians, who also compose their songs have a 'bad taste' about local stations. 2 or 3 stations in Balt/Wash area have 1 hr programs weekly that play local artists in 'non-prime' air space--when listenership is 'way down'. Only one station here in Annapolis will play unsigned artists in prime time--the rest 'forget it'. One strong FM station will play local bluegrass/folk artists in primetime on weekends only. Local stations w/ 1 hr local rock shows are 98Rock Balt & DC101 Wash. WAMU 88.5FM plays local bluegrass & folk. WRNR Annap is only primetime local rock--but can't pick up in DC, Montg Co, or No Va, greater population--only Annap & near Balt, lesser population. Primetime radio is afraid they will lose their listeners--& sponsors, told to me by prog directors, if they play local music. But what if they 'intermix' or 'alternate' it w/ signed musicians, I asked. OOOhhh!!!

Were SCARED--we might lose our jobs--thats all I can get out of them. On RARE occasion--these stations will play a local artist if they are heavily promoted by a booking agent or event promoter & have good distrib of their product in local stores. We don't have a major booking agent--we have to go out & line up our own gigs at whatever bar is willing to hire us. I feel they certainly could change their policy & stop being such 'blue noses'. At present, they are not serving the local music community as good as other stations in other city markets, which by the way DO intermix airplay & are not having any problems. We just have a bunch of self-centered 'scardy cats' for prog directors in the Balt/Wash area. Afraid to 'TRY' anything.

NO---not necessary, just require primetime majors [stations] to do as I suggested above. Intermix rotation airplay. I don't believe stations are going to lose sponsors if they make this change--as long as they have announcers fill in more info--explaining to the public that the format is changed to allow more local artist exposure. Last question---NO--will not be necessary to define local programming--as long as stations discontinue 1 hr special local shows. I also believe many listeners will 'tune out' anyway when they know they have to 'change their posture' for unsigned vs signed for 1 hr. With the intermix, they HAVE to stay tuned to hear a repeat of their favorite signed-for which they have memorized ALL the words.

No--not necessary--see above. 2nd question NO--Not necessary w/intermix rotation programming. 3rd question YES--but with a GOOD explanation.

Local school sports---could be either--intermix w/nat'l sports, or on weekday afternoons when kids are out of school. Public affairs & local news same as now--interspersed thru out the day--so everyone listening can hear it. Music of local artists--same as above.

I have no problem w/this--as long as they spread it out over primetime so the majority can hear it.

I am against payola--getting back to the music promoter--maybe the name of the music promoter should be announced so that all that hear that song know whos promoting it--I don't see any harm in that. Ans--The FCC Wants to Know--I am not familiar or do I know any or have heard of any 'payola practices'. Possibly some concert event promoters that book local bands in some cases my be doing some payola practices for stations to play local artists or do 'heavy airplay' w/nat'l artists they are promoing--but I don't know of it. My experience has been, I sign a bill & pay a fee for adv my bands & I get X amt of 'spot ads', & thats it. But NEVER got airplay from it. They do play the songs as background in the ad though. Payments by indie promoters to radio stations is 'paying the bill for spot ads' but pay direct to a dj for X amt of spins is 'payola'. Payments should never be accepted by stations from anybody that does music research or makes programming suggestions. A free concert for charity ok, but for a radio station to raise money for that station--NO. But that could be payola. Labels can buy ad spots to play their bands songs as an announced ad is ok w/me, but usually the station wants u as an 'indie' label to buy as many spots as the major label which the indie label just can't afford, which to me is unfair. Stations seeking payment for front & back announcing--didn't know that existed--I don't like it though--smells of payola. If a station can't make enough money w/above-board ads & billed clients then its badly mismanaged. Existing rules could be changed to incorporate what I have outlined in my above statments & opinions.

I can't comment on this as am not familiar w/this practice. The next question--YES communities can be hurt in many ways without local announcers. The FCC should require the stations do away w/this practice--in my opinion.

Nat'l playlists--can be interspersed w/local programming--in other words--cut in locally w/nat'l/local rotation intermix airplay, created by the local station. Yes, it does prevent local stations from making independent decisions. FCC require all stations to make their own decisions at local level. This current so called 'damage' could be quite common & widespread.

I would like to see more low-power stations--promotes more 'entrepreneurship'. Definitely more benefits to the local music community.

I would like to thank the FCC for giving me the opportunity to express my views thru this website & yes--we need a public proceeding on this issue.